

#7

QUE04 P-310

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper, together with all enclosures identified herein, are being sent via facsimile to Mail Stop PCT, Commissioner for Patents, at 703/305-3230, on the date indicated below. A total of 9 page(s) should be received.

11/14/03  
Date

Sharla A. Waller  
Sharla A. Waller

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Helmut Gross et al.  
Appln. No. : 10/031,669  
I.A. Appln. No. : PCT/EP01/05514  
I.A. Filing Date : May 15, 2001  
Priority Date : May 17, 2000  
Confirmation No. : 6805  
For : DEVICE FOR DIE CUTTING A STACK CONSISTING OF  
SHEET-TYPE MATERIALS

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

**PETITION UNDER 37 C.F.R. §1.181 REQUESTING  
WITHDRAWAL OF NOTIFICATION OF ABANDONMENT**

This is a request to reinstate the above-identified application. Enclosed are exhibits in support of the Petition under 37 C.F.R. §1.181 Requesting Withdrawal of Notification of Abandonment.

The Notification of Missing Requirements under 35 U.S.C. §371 in the United States Designated/Elected Office (DO/EO/US) (Exhibit A) in the subject case was mailed on January 29, 2003. A reply (Exhibit B) to the Notification of Missing Requirements was mailed on March 25, 2003, and received on March 31, 2003, as shown in the photocopy of the return receipt postcard (Exhibit C). The undersigned received a Notification of Abandonment (Exhibit D) on November 10, 2003, indicating that Applicants failed to respond to the Notification of Missing Requirements within the statutory period.

Applicants : Helmut Gross et al.  
Serial No. : 10/031,669  
Page : 2

Since the reply to the Notification of Missing Requirements was filed within the statutory period, Applicants respectfully request that the Commissioner exercise his supervisory power and revive the application. If there is any fee due, which Applicants do not believe to be the case since this was a Patent Office error, please charge Deposit Account 16-2463.

Applicants would also like to note that an official Filing Receipt has never been received in the above-identified application.


Early and favorable action on this Petition is requested.

Respectfully submitted,

HELMUT GROSS ET AL.

By: PRICE, HENEVELD, COOPER,  
DEWITT & LITTON

11-14-03  
Date

  
Michael R. Long  
Registration No. 42 808  
695 Kenmoor SE  
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MRL/saw



## UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, By PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/031,669	Helmut Gross	QUE04 P-310

000277  
PRICE HENEVELD COOPER DEWITT & LITTON  
695 KENMOOR, S.E.  
P O BOX 2567  
GRAND RAPIDS, MI 49501

INTERNATIONAL APPLICATION NO.	
PCT/EP01/05514	
I.A. FILING DATE	PRIORITY DATE
05/15/2001	05/17/2000

CONFIRMATION NO. 6805  
371 FORMALITIES LETTER



Date Mailed: 01/29/2003

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Priority Document
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Information Disclosure Statements
- Oath or Declaration
- Preliminary Amendments
- Request for Immediate Examination

RECEIVED

MAR 18 2003

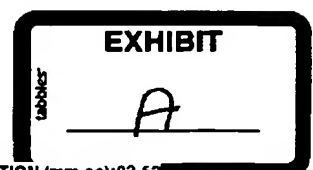
PRICE, HENEVELD, COOPER  
DEWITT & LITTON  
PER \_\_\_\_\_

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$130 Surcharge for providing the oath or declaration later than the appropriate 30 months months from the priority date (37 CFR 1.492(e)) is required.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is \$130 for a Large Entity:



- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

BARBARA A CAMPBELL

Telephone: (703) 305-3631

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/031,669	PCT/EP01/05514	QUE04 P-310

FORM PCT/DO/EO/905 (371 Formalities Notice)

Atty. Docket No. QUE04 P-310

## CERTIFICATE OF MAILING

I hereby certify that this paper, together with all enclosures identified therein, is being deposited with the United States Postal Service as first class mail, addressed to the Commissioner for Patents, Box PCT, Washington D.C. 20231, on the date indicated below.

03-25-03

Date

Sharla A. Waller  
Sharla A. Waller

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Helmut Gross et al.  
U.S. Appln. No. : 10/031,699  
Int. Appln. No. : PCT/EP01/05514  
U.S. Filing Date : January 17, 2002  
I.A. Filing Date : May 15, 2001  
Confirmation No. : 6805  
For : DEVICE FOR DIE CUTTING A STACK CONSISTING OF  
SHEET-TYPE MATERIALS

Commissioner for Patents  
Box PCT  
Washington DC 20231

Dear Sir:

TRANSMITTAL LETTER

Enclosed herewith for filing in the above-identified application are the following documents:

1. Declaration and Power of Attorney;
2. Copy of Notification of Missing Requirements;
3. \$130 Surcharge; and
4. Return Postcard.

Respectfully submitted,

HELMUT GROSS ET AL.

By: PRICE, HENEVELD, COOPER,  
DEWITT & LITTON

03-25-03

Date

Michael R. Long  
Michael R. Long  
Registration No. 42 808  
695 Kenmoor SE  
P.O. Box 2567  
Grand Rapids, Michigan 49501-2567  
616/949-9610

MRL/saw

EXHIBIT

B

Auty. Docket No. QUE04 P-310

## DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor, if only one name is listed below, or an original, first and joint inventor, if plural names are listed below, of the subject matter which is claimed and for which a patent is sought on the invention entitled **DEVICE FOR DIE CUTTING A STACK CONSISTING OF SHEET-TYPE MATERIALS**, the specification of which was filed on 01/17/2002 and assigned U.S. Appln. No. 10/031,699.

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office (the Office), all information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations (C.F.R.), Section 1.56.

## CLAIM OF PRIORITY

I hereby claim foreign benefits under Title 35, United States Code (U.S.C.), Section 119(a)-(d) or § 365(b), of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application, having a filing date before that of the application on which priority is claimed.

PCT International Application No. PCT EP 01/05514, filed on May 15, 2001, which claims priority to

German Application Ser. No. 100 23 932.3, filed on May 17, 2000.

I hereby claim the benefit under 35 U.S.C. § 120, of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the above-identified specification, including claims, discloses and claims subject matter in addition to that disclosed in the prior copending application(s), listed below, I acknowledge the duty to disclose to the Office, all information which is known by me to be material to patentability as defined in 37 C.F.R. § 1.56, which became available between the filing date of the prior application and the national or PCT international filing date of this application.

None

## POWER OF ATTORNEY

I hereby appoint the practitioners associated with the Customer Number provided below (*i.e.*, the practitioners associated with the law firm of Price, Heneveld, Cooper, DeWitt and Litton) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. I also hereby authorize the practitioners associated with the Customer Number provided below to enter the filing date and application number of the above-identified application, when received. Please direct all correspondence to the address associated with that Customer Number.

Customer Number 000,277

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true, and further, these statements are made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

First joint inventor:

Helmut Gross 22.1.02  
Date

Helmut Gross  
Citizenship: Germany  
Residence: Am Hasenberg 22  
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Post Office Address: Same as above

Second joint inventor:

Werner Bauer 28.1.02  
Date

Werner Bauer  
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Post Office Address: Same as above

Third joint inventor:

G. Becker 6.2.02  
Gerhard Becker Date  
Citizenship: Germany  
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Post Office Address: Same as above

Fourth joint inventor:

Gerd Gottschalk 31.1.02  
Gerd Gottschalk Date  
Citizenship: Germany  
Residence: Haingraben 6  
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Post Office Address: Same as above

Fifth joint inventor:

Richard Neubauer 28.01.02  
Richard Neubauer Date  
Citizenship: Germany  
Residence: Kortenbacher Weg 35b  
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Post Office Address: Same as above

Sixth joint inventor:

Horst Schneider 4.02.02  
Horst Schneider Date  
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Residence: Vor der Heide 16  
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Post Office Address: Same as above

Seventh joint inventor:

Horst Stemmer 27.1.01  
Horst Stemmer Date  
Citizenship: Germany  
Residence: Straßburger Straße 47  
64832 Babenhausen, Germany  
Post Office Address: Same as above

Commissioner for Patents  
Box PCT  
Washington DC 20231

March 25, 2003

Applicants : Helmut Gross et al.  
Appln. No. : 10/031,669  
I.A. No. : PCT/EP01/05514  
For : DEVICE FOR DIE CUTTING A STACK CONSISTING OF  
SHEET-TYPE MATERIALS

Sir/Madam: Kindly acknowledge receipt of the accompanying *Transmittal Letter (1 page)*, *Declaration and Power of Attorney (2 pages)*, *Copy of Notification of Missing Requirements (2 pages)*, and *\$130 Surcharge* by placing your receiving date stamp hereon and mailing. Thank you.

QUE04 P-310/saw

DT16 Rec'd PCT/EP 31 MAR 2003

EXHIBIT

C





## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1459  
Alexandria, Virginia 22313-1459  
www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/031,669	FIRST NAMED APPLICANT Helmut Gross	ATTY. DOCKET NO. QUE04 P-310
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INTERNATIONAL APPLICATION NO. PCT/EP01/05514
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1A. FILING DATE 05/15/2001	PRIORITY DATE 05/17/2000
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000277  
PRICE HENEVELD COOPER DEWITT & LITTON  
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CONFIRMATION NO. 6805

371  
ABANDONMENT/TERMINATION  
LETTER

\*\*\*\*\*  
\*OC000000011214345\*

Date Mailed: 11/07/2003

## NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 01/29/2003 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

BARBARA A CAMPBELI.

Telephone: (703) 305-3631

PART 3 - OFFICE COPY

FORM PCT/DO/EO/909 (371 Abandonment Notice)

RECEIVED

NOV 10 2003

PRICE, HENEVELD, COOPER

